

EXHIBIT 1

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ROGERS JOSEPH O'DONNELL

Lisa N. Himes
202.777.8953 (d)
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July 15, 2019

VIA FACSIMILE AND FEDERAL EXPRESS

Food and Drug Administration
Division of Freedom of Information
Office of the Executive Secretariat, OC
5630 Fishers Lane, Room 1035
Rockville, MD 20857
Facsimile: (301) 827-9267

Re: Freedom of Information Act Request

To Whom It May Concern:

On behalf of clients, Nova Oculus Partners, LLC f/k/a The Eye Machine, LLC, Peter Pocklington, Lantson E. Eldred, and AMC Holdings Co., LLC, Rogers Joseph O'Donnell, PC makes this request for the records described below pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

We request that you adhere to the time limitations set forth in 5 U.S.C. § 552(a)(6)(A). We also ask that you forward information related to any individual request without waiting until all records are located (i.e., please provide records on a rolling basis). If you determine that a record contains material exempt from disclosure, please review it for possible discretionary disclosure. In addition, we request that you produce any and all segregable portions of the record in question. Please notify me when responsive records are either furnished or specifically identified and denied for release. If no records exist for any request, please provide written confirmation of same.

We further request that, pursuant to 5 U.S.C. § 552(a)(3)(B), your agency produce responsive documents in the native electronic format in which the document was created. To the extent that your agency is unable to produce the responsive documents in the requested format, we request that your agency confirm that the record does not exist in native format and produce the documents in the following format, listed in accordance with our preference: 1) PDF format; or 2) paper copy. While the burden is on the government to produce all documents within the required time period, we are willing to discuss and agree upon the means and sequence of production to facilitate government compliance with the law.

To the extent that you determine that any subject document will not be disclosed because it meets any of the criteria in the FOIA for nondisclosure, you are requested to identify such documents in accordance with the requirements of *Vaughn v. Rosen*, 523 F.2d 1136 (D.C. Cir. 1975). To the extent that you determine that any subject document will not be disclosed because

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it is classified in accordance with document classification procedures of your Department, request is hereby made that such document be declassified or redacted sufficiently to enable useful review and inclusion of its identifying characteristics under *Vaughn v. Rosen*.

REQUESTED DOCUMENTS

Please provide the following records¹ to the undersigned:

1. All communications with Genentech-Roche, including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
2. All communications with Regeneron Pharmaceuticals, Inc., including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
3. All communications with Novartis US, including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
 - a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington

¹ An "agency record" includes "the products of data compilation, such as all books, papers, maps, photographs, and machine readable materials, inclusive of those in electronic form or format, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law in connection with the transaction of public business and in DA possession and control at the time the FOIA request is made." 32 CFR § 518.7(b).

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- d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
4. All communications with the Casselman Law Group f/k/a Wasserman, Comden, Casselman & Esensten, LLP, including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
- a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
5. All communications with Alcon, including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
- a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
6. All communications with Bausch & Lomb, including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
- a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
7. All communications with Amerivision International, Inc., including all of its staff, employees, and agents, from January 1, 2013 through the present, referencing:
- a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC

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- c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC
 - f. macular degeneration
 - g. AMD
8. All records from January 1, 2013 through the present, referencing:
- a. Nova Oculus Partners, LLC
 - b. The Eye Machine, LLC
 - c. Peter Pocklington
 - d. Lantson E. Eldred
 - e. AMC Holdings Co., LLC

We are willing and able to pay all reasonable and applicable fees in connection with this request as required under statute and regulation. We request prior notice only if you determine that such costs will exceed \$1,000. Please feel free to contact me by phone (202-777-8953) or by email (lhimes@rjo.com) if you have any questions about this request or need further information.

Best regards,



Lisa N. Himes